

**REMARKS**

Rejection of Claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over US 7,092,729 (Fichet) in view of US 2003/0043438 (Farhan)

Applicant respectfully traverses the rejection of claims 1-20. Reconsideration is respectfully requested.

Applicant respectfully submits that the combination of Fichet and Farhan does not teach or suggest all the claim limitations as set forth in independent claims 1, 8, 14, and 20. For example, independent claims 1, 8, and 20 recite “generat[ing] digital transport stream data [from said protected content services and said protected authorization data] for transmission to each said at least one local headend,” and independent claim 14 recites “multiplexing said encrypted content services and said encrypted first authorization data to generate digital transport stream data...modulating a carrier with said digital transport stream data...a local headend for receiving said television signals” which are not taught or suggested in the combination of Fichet and Farhan.

Fichet discloses a method of broadcasting a message having a text portion to be communicated to a user, the method including broadcasting the message in the form of an entitlement management message for reception by the user. (Fichet, Abstract)

Farhan is directed towards a cable television system including a headend for receiving satellite signals that are demodulated to baseband or an intermediate frequency to be converted to cable television signals that are routed throughout the system to subscriber equipments. (Farhan, paragraph [0011])

The Office Action dated February 08, 2008 in item 3, page 3, states that “Fichet does not teach content being transmitted to a local headend.” Applicant agrees with the Office Action that Fichet fails to disclose “digital transport stream data...for transmission to...local headend.” However, the Office Action appears to rely on Farhan for such. The Office Action specifically refers to Farhan’s “headend 105 for receiving satellite signals that are demodulated” as being describing or analogous to Applicant’s above such feature. However, Applicant’s claims recite “generat[ing] digital transport stream data [from said protected content services and said protected authorization data] for transmission to each said at least one local headend,” or “multiplexing said encrypted content services and said encrypted first authorization data to generate digital transport stream data...modulating a carrier with said digital transport stream data...a local headend for receiving said television signals.” According to Applicant’s claims, digital transport stream data (or television signals) for transmission is a data that is generated/multiplexed from protected content services and protected authorization data. In contrast, Farhan, in paragraph [0011] merely describes that a headend receives satellite signals for demodulation, however Farhan nowhere mentions that such satellite signals (received by the headend 105) are generated from protected content services and protected authorization data.

Since Farhan does not disclose receiving satellite signals that are generated from protected content services and protected authorization data, a combination of Farhan with Fichet also fails to teach or suggest Applicant’s claimed feature of “generat[ing] digital transport stream data [from said protected content services and said protected authorization data] for transmission to each said at least one local headend,” or “multiplexing said encrypted content services and said encrypted first authorization data to generate digital transport stream data...modulating a carrier with

said digital transport stream data...a local headend for receiving said television signals” as described in independent claims 1, 8, 14, and 20. For the above reasons, Applicant submits that claims 1, 8, 14, and 20 are not obvious in view of the combination of Fichet and Farhan, and therefore that the rejection of claims 1, 8, 14, and 20 under 35 USC 103(a) should be withdrawn. Applicant requests that claims 1, 8, 14, and 20 now be passed to allowance.

Dependent claims 2-7, 9-13, and 15-19 depend from, and include all the limitations of independent claims 1, 8, and 14 respectively. Therefore, Applicant respectfully requests the reconsideration of dependent claims 2-7, 9-13, and 15-19 and requests withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

Dated: May 8, 2008

Respectfully submitted,

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